

## REMARKS

The present invention is a device to provide a graphical user interface for selecting content from a plurality of sources thereof, an interactive display device for displaying content from a plurality of different sources thereof on a display screen, a data carrier provided with a program to be run by a processor to provide a graphical user interface for selecting content from a plurality of sources thereof and a method of operating a graphical user interface to select content from a plurality of sources thereof. In accordance with an embodiment of the invention a device to provide the graphical user interface 5 for selecting content from a plurality of data sources 6-8 thereof in accordance with the invention includes first and second transversely extending and intersecting scroll bars V,H which comprise a plurality of scroll bar elements  $V_0 - V_M$  and  $H_0 - H_M$  that can be scrolled successively through a focus region 16 positioned at an intersection between the first and second scroll bars, the scroll bar elements  $H_0 - H_M$  of the first scroll bar signifying groupings of content sources, such that when elements of the first scroll bar are scrolled individually into the focus region, the scroll bar elements of the second scroll bar  $V_0 - V_M$  signify content sources which are included within a grouping thereof associated with the individual element of the first scroll bar, whereby the scroll elements of the second scroll bar can be scrolled through the focus region to select a content source of the grouping, at least one of the scroll bar elements of the first scroll bar being preprogrammed to comprise a multiple depiction of more than one of said content source groupings, whereby an individual one of the groupings may be selected from the multiple depiction for the focus region, and a viewing region 25 for viewing the

contents associated with said content sources selected independence on the depiction in the focus region. The content sources of the first scroll bar are preprogrammed as illustrated for example in Figure 3.

Claim 6 stands objected to regarding “a facets”. Newly submitted claim 25 which corresponds to claim 6 recites “facets associated with respective different users” which overcomes the stated grounds of objection.

Claims 1-4, 7-12 and 14-19 stand rejected under 35 U.S.C. §103 as being unpatentable over United States Patent 5,623,613 (Rowe et al.) in view of United States Patent 6,597,358 (Miller). The Examiner reasons as follows:

“In regards to claim 1, Rowe teaches a device to provide a graphical user interface for selecting content from a plurality of sources thereof, the user interface comprising: a focus region (i.e. “viewing panel” Column 7, Line 48), and first and second transversely extending scroll bars which each comprise a plurality of scroll bar elements that can be scrolled successively through the focus region (i.e. Figure 2, Elements 52 and 54), the scroll bar elements of the first scroll bar signifying groupings of content sources (i.e. Figure 2, Element 52, “shopping, special, sports, talk shows, comedies”), such that when elements of the first scroll bar are scrolled individually into the focus region, the scroll bar elements of the second scroll bar signify content sources which are included within a grouping thereof associated with the individual element of the first scroll bar (i.e. Figure 2, Element 54, “Auto Racing, Baseball, Basketball, Bowling, Football”), whereby the scroll bar elements of the second scroll bar can be scrolled through the focus region to select a content source of the grouping (i.e. Figure 2, Elements 54). Rowe does not teach a user interface wherein at least one of the scroll bar elements of the first scroll bar comprising a multiple depiction of more than one of said content source groupings, whereby an individual one of the groupings may be selected from the multiple depiction for the focus region. Miller teaches “a method... for organizing computer applications in a three-dimensional perspective” (Column 3, Line 13). After the three-dimensional perspective boxes have been created, a user can rotate the box and select the application he wishes. Since Rowe’s invention deals with a scroll-bar comprised of different boxes, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify Rowe with the teachings of Miller and

insert the three-dimensional cubes, or icons, in the programming guide of Rowe's invention with the motivation to save space on the display screen and at the same time provide more options to the user."

These grounds of rejection are traversed for the following reasons.

Newly submitted independent claims 20, 28, 34 and 35, which correspond to original claims 1, 9, 16 and 17 substantively recite first and second transversely extending and intersecting scroll bars which each comprise a plurality of scroll bar elements that can be scrolled successively through a focus region positioned at the innersection of the scroll bars, at least one of the scroll bar elements of the first scroll bar being preprogrammed to comprise a multiple depiction of more than one of the content source groupings and a viewing region for viewing the contents associated with the content sources selected independence on the depiction on the focus region. This subject matter has no counterpart in the proposed combination of Rowe et al. and Miller.

Rowe teaches a user interface which differs from the subject matter recited in the independent claims substantively by not having first and second transversely extending and intersecting scroll bars that can be scrolled successively through a focus region positioned at an intersection between the first and second scroll bars and at least one of the scroll bar elements of the first scroll bar being preprogrammed to comprise a multiple depiction of more than one of said contents source groupings whereby an individual one of the groupings may be selected from the multiple depictions for the focus region and a viewing region for viewing the contents associated with said contents sources selected independent on a depiction in the focus region. Rowe et al.

teach vertical scroll bars 52 and 54 which respectively represent a category display and a subcategory display and a horizontally extending display 56 without a viewing region. There is no intersection between scroll bars 52 and 54 and scroll bar 56. See column 7, lines 16-67 through column 8, lines 1-36 which do not describe the aforementioned utilization of transversely extending and intersecting scroll bars which define a focus region and a viewing region as recited in independent claims.

Miller has been cited by the Examiner as teaching a method for organizing computer applications in a three dimensional perspective. However, such a teaching, even if combined in to the teachings of Rowe et al., would not result in the claimed invention in that first and second transversely extending and intersecting scroll bars which comprise a plurality of scroll bar elements that can be scrolled successfully through a focus region with at least one of the scroll bar elements of the first scroll bar being preprogrammed to comprise a multiple depiction of more than one of said content source groupings, whereby an individual one of the groupings may be selected from the multiple depiction for the focus region, and a viewing region for viewing the contents associated with said content sources selected in dependence on the depiction in the focus region would not be achieved. Miller's teaching suggests a three dimensional display of application windows so as to present a conventional application window in a 3D meta-visualization but does not suggest the use of the first scroll bar. See column 5, lines 10-22.

Moreover, it is submitted that a person of ordinary skill in the art would not be lead to modify the teachings of Rowe et al. based upon the teachings of Miller to arrive at the subject matter of the independent claims. The present

invention, as recited in the independent claims, is a graphical user interface for selecting content from the sources thereof which are defined as first and second transversely extending and intersecting scroll bars which have a focus region positioned at the intersection between the first and second scroll bars. The three dimensional display of Miller et al. which is taught to be a replacement for the conventional Windows® operating system of a computer, would not be considered by a person of ordinary skill in the art as a basis for modifying the teachings of Rowe et al. to arrive at the claimed invention. It is submitted that the Examiner's reliance upon Miller is based upon impermissible hindsight. The Examiner's suggestion that a person of ordinary skill in the art would consider Miller to suggest the saving of space in Rowe does not suggest the particular claimed relationships including first and second intersecting scroll bars which define a focus region except by the resort to impermissible hindsight.

The dependent claims define more specific aspects of the present invention which are not rendered obvious by the proposed combination of Rowe and Miller.

Claim 5, which corresponds to new claim 24, stands rejected under 35 U.S.C. §103 as being unpatentable over Rowe et al. in view of Miller further in view of United States Patent 6,412,110 (Schein et al.). Claim 5 further limits claim 4, which corresponds to new claim 23, in reciting the elements are rotatable in unison about said axis. The Examiner cites column 4, line 40 of Schein et al. and Figure 27B. The disclosure in column 4, lines 40-47 describes four action controls 208-211 which give the viewer the ability to recursively vary the configuration of the display area. It is not understood how

this teaching or Figure 27B suggest the subject matter of claim 5 or claim 24. Moreover, it is submitted that Schein et al. do not cure the deficiencies as noted above with respect to claim 20 which corresponds to claim 1.

Claim 6, which corresponds to new claim 25, stands rejected under 35 U.S.C. §103 as being unpatentable over Rowe et al. in view of Miller further in view of United States Patent 6,594,825 (Goldschmidt). Claim 25 further limits claim 22, which corresponds to claim 6, in reciting that the elements each include facets associated with respective different users. The Examiner cites column 5, lines 64 which teaches that the system controller 200 includes user preferences 214 with the user preferences identifying preferred viewing options. It is submitted that the cited portion of Goldschmidt does not render obvious the subject matter of claim 6. Moreover, Goldschmidt does not cure the deficiencies noted above with respect to claim 20.

Claim 13, which corresponds to new claim 32, stands rejected under 35 U.S.C. §103 as being unpatentable over Rowe et al. in view of Miller further in view of United States Patent 6,483,548 (Allport). Claim 32 limits claim 28, which corresponds to claim 9, by reciting the devices are configured to receive programming data from a group consisting of satellite transmission, cable transmission and internet and prerecorded data. These grounds of rejection are traversed for the following reasons.

Allport does not cure the deficiencies noted above with respect to claim 28.

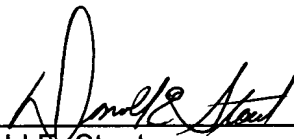
WO 00/65429 differs from the present invention in not disclosing first and second transversely extending and intersecting scroll bars which each comprise a plurality of scroll bar elements that can be scrolled successively to

a focus region positioned at an intersection between first and second scroll bars. The teaching therein describes object fields A-G, illustrated in Figure 2a in a vertical bar 32, and object fields F0 - F5 in a horizontal bar 34. A person of ordinary skill in the art would not be lead to modify the teachings of WO 00/65429 in view of Miller accept by impermissible hindsight for the reasons set forth above regarding a proposed combination of Miller with Rowe et al.

Submitted herewith is an Information Disclosure Statement identifying additional prior art to be considered by the Examiner in the reexamination of this application.

To the extent necessary, Applicants petition for an extension of time under 37 CFR §1.136. Please charge any shortage in the fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account No. 01-2135 (Case No. 1076.40275X00) and please credit any excess fees to such deposit account.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Donald E. Stout", is written over a horizontal line.

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Attachments